

Court of Appeals, State of Michigan

ORDER

People of MI v Eddie Lee Skellett

Docket No. 344600

LC No. 17-244009-FC

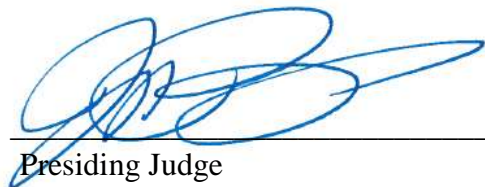
Jane M. Beckering
Presiding Judge

Mark J. Cavanagh

Cynthia Diane Stephens
Judges

The Court orders that the motion for immediate consideration is GRANTED.

The Court orders that the motion for bond pending appeal is DENIED. We are keenly aware of the unprecedented public health crisis caused by the COVID-19 pandemic. We have carefully weighed the public health factors arising out of the present state of emergency as well as defendant's legitimate health concerns. We note that defendant identifies several health conditions, including a respiratory condition, that puts him at an increased risk for experiencing severe illness should he contract the novel coronavirus. We do not mean to minimize the risks that the novel coronavirus poses in the state's prison system. Nevertheless, on the basis of defendant's recently affirmed conviction for assault with intent to commit murder, his admitted drug use, and the content of his PSIR, we conclude that, unlike in *People v Ferguson*, Docket No. 353226, defendant's release on bond poses a serious risk to public safety that clearly outweighs the risks of exposure to the coronavirus associated with his continued incarceration. We find this to be particularly true where defendant broadly describes the increased risks of coronavirus transmission in correctional facilities, but has not shown with particularity that the correctional facility where he is housed has failed to take reasonable recommended precautions to mitigate the spread of the virus and protect those deemed to be at high risk.


Presiding Judge

Cavanagh, J., concurs in the result only.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

April 30, 2020

Date


Chief Clerk